

## EXTENSIONS OF REMARKS

CONGRESSMAN IKE SKELTON'S  
ADDRESS TO WORLD CHURCH  
CONFERENCE

## HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. SKELTON. Mr. Speaker, on April 1, I addressed the World Church Conference at the Reorganized Church of Jesus Christ of Latter Day Saints in Independence, MO, regarding the inspirational role of religion during this time of political reform in Eastern and Central Europe. I am submitting this address for inclusion in today's CONGRESSIONAL RECORD.

CONGRESSMAN IKE SKELTON'S ADDRESS TO  
WORLD CHURCH CONFERENCE

In April of 1968, I recall Senator Stuart Symington, Missouri's senior Senator, spoke at this distinguished gathering. At that time, I thought that Senator Symington had received one of the highest honors of his career. Today, I have that same privilege of addressing this prestigious body, and I treasure this honor as a highlight of my public service career.

A number of years ago in my church in Lexington, MO, our young minister approached the pulpit at the point in the service designated sermon. He paused for a moment and said, "God has not spoken to me this week, thus, I have nothing to say," and sat down.

Today, I know that most of you realize that today is April 1st—April Fools' Day—and that you have a politician scheduled to address you. I assure you that I do have a message and that I will not say "April Fools" and sit down.

There's the old hymn, one of my mother's favorites, that has the refrain, "Count your many blessings, count them one by one." Were we to follow this advice, undoubtedly the top of the list would be the blessing of living in our country and being an American. God has truly smiled on our Nation, a country that enjoys certain constitutional guarantees. The first amendment to the Constitution provides freedom of religion, freedom of speech, freedom of press, the right of assembly, and the right to petition the Government for a redress of grievances. As a result, we are the bastion of freedom on this globe. And all too often we take these freedoms and liberties for granted. Would it be that these rights be granted to every living human being on this globe. But that is not the case.

There is the ancient Chinese curse, "May you live in interesting times." Well, whether it be a curse or not, we do live in interesting times. Rather, as I prefer, times of challenges and opportunities.

During my lifetime the world has witnessed war, destruction, and oppression, much of which is too horrible to describe. But the world is changing—at least parts of it.

On November 11, 1989, the 71st anniversary for the ending of the First World War, a

portion of the Berlin Wall dividing East and West Germany was torn down by Germans on each side of the wall. Since then, the Communist governments of each of the Eastern European states have been toppled. East Germany, Hungary, Poland, Romania, Czechoslovakia, and Bulgaria are now led by transitional and newly elected noncommunist governments. Even within the Soviet Union, there are massive movements to social and economic reform underway. One of the Soviet States, Lithuania, has just declared its independence.

Thus, we can agree that we do live in interesting times—times of rapid change—times of reform—and times of uncertainty. Alexis de Tocqueville said, "The most dangerous time in history is when a government is trying to reform itself." De Tocqueville's warning is applicable to these present days because the people in these countries who are breaking off their shackles of the past will have high expectations—expectations for freedom—and expectations for economic opportunity. Most of these countries do not understand the concept of freedom. For instance, in Bulgaria, freedom means to most ethnic Bulgarians that they have the right to throw out the Bulgarians of Turkish descent. Concerning economics, there is little understanding of entrepreneurship and the work ethic has been suppressed by a generation of repression.

In a word, we have won the cold war. The containment of communism doctrine, originally established by Independence's own President Harry Truman, has succeeded. The walls of tyranny are crumbling. But unfulfilled high expectations hang like the sword of Damocles over the heads of Europe and the free world.

A few weeks ago, I heard someone say in a sermon, "It is not the love of power, it is the power of love" that gives men and women the motivation to aspire and to build a better world, closer to the ideals of the Kingdom of God, a world from which fear, oppression, and cruelty will be banished.

History repeats this message in various forms over and over again. On a plaque on the stairwell of the pedestal of the Statute of Liberty, the timeless words of Abraham Lincoln are penned,

"Our reliance is in the love of liberty which God has planted in our bosoms. Our Defense is in the preservation of the spirit which prizes liberty as the heritage of all men, in all lands, every where. Destroy this spirit, and you have planted the seeds of despotism around your own doors."

If the newly emerging democracies are to succeed—to realize their expectations, they must find this power of love and this spirit of liberty. If they are to do so, they must first achieve true religious freedom.

In the U.S., religious freedom is guaranteed by law to all. We have the right to teach religion to adults and children; to publish religious materials; charity work is encouraged; and we do not have so-called "recognized" or "unrecognized" religions. Religious faith surrounds us. It expresses our values. Our children are raised with it. Religion is a part of everyday life.

Let's glance quickly at the situation in the countries of Eastern Europe as they move toward religious freedom.

The role of religion in Eastern Europe is in a State of flux, marked by unprecedented concessions on the part of the State, what many regard as an irreversible movement toward religious freedom. At the heart of the religious movement, much work is being done on legislation that limits or denies the rights of religious organizations and of believers.

In Hungary, religious affairs have been strictly regulated by the Hungarian Communist Party since the late 1940s. Until recently, some Hungarians have been confined as "prisoners of conscience." Now this is ending. New legislation is being framed which would give religious bodies legal status, establish the right to publish journals and periodicals, provide equal taxation for all citizens, and guarantee the right to teach religion.

In Poland, the Roman Catholic Church, representing 95 percent of the Polish population, has been the front-line force in the changes that have taken place in Poland for the past ten years. The Communist government has never been able to harness the Catholic Church but this past spring, the government recognized the Roman Catholic Church, reinstating rights lost by the church after the Communist takeover. Now, as the mediator between the people and government authorities, the church may publish newspapers, it may operate schools, hospitals, and communications networks—all without interference from the state. Laws assuring freedom of worship have been formed.

For almost half a century, evangelical charity, and missionary work has been prohibited in Czechoslovakia. Now, these religious rights are permissible, and restrictions on literature are slowly loosening.

In Romania, largely Romanian Orthodox with a growing congregation of Baptists and Pentecostals, Lutheran Minister Laszlo Tokes was a key leader in the overthrow of the brutal Communist leader Nicolae Ceausescu in December.

A couple of months ago, a colleague of mine, Chet Atkins, was in Romania traveling with a delegation from the Unitarian Church to visit church leaders and leaders of the new government. Only three weeks before his visit, the people had been forbidden to speak with a foreigner or discuss the government in church. Congressman Atkins preached in reformed and unitarian parishes that were overflowing with hundreds of people. He said the experience was highly emotional and moving. He saw memorials in the streets, wreaths, candles, flowers . . . all testimony of the presence of religion and the power of God. And in the faces of the people, he saw something more than the absence of oppression, he saw an entirely new spirit of religion developing, a spiritual awakening in the springtime of religious liberties.

And in East Germany, this past Christmas was the first time since the Communist takeover that Christmas bells are sounded in Berlin. The people of Berlin attended

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

joint services for the first time since the Wall went up in 1961. Like the bells of liberty we hear every day and the bells of church services which ring across our Nation each Sunday, the sound of church bells ringing through East Germany ushered in hope—and freedom.

In the Soviet Union, for the first time in 70 years, Bibles are being imported. And where the word of God is freely read and listened to, freedom cannot be extinguished.

Let me mention two thoughts that come to mind when I consider the momentous changes that are going on in our world.

During these last few months, we have had three powerful leaders come to the Congress and speak. These three men came representing the emerging freedoms about which I have already spoken.

Lech Walesa came to the Capitol of the United States in November and addressed a joint session of the Congress. As he entered the Chamber of the House of Representatives, there was applause, applause like I have not heard since I came to Congress. The people in the balconies stood and clapped their hands in joyful approval—Members of the House and Senate, Republicans and Democrats, liberals and conservatives, men and women from every one of the fifty States, the President of the United States and members of the President's Cabinet, the Joint Chiefs of Staff, the Diplomatic Corps—everyone standing and cheering, resounding applause, for this humble electrician from Gdansk as he stood ready to give his speech.

Lech Walesa had said before his speech that he was not a professional politician—that he was just an electrician, and if the lights were to go off in the building, he could fix them! And then he proceeded to give words of achievement and hope.

In February, the President of Czechoslovakia, Vaclav Havel, came to address another joint meeting. Again, the thunderous applause, the shouts of approval. He said in his speech that he had not gone to school for Presidents—he had been to prison, under arrest, and now he spoke before the Nation with the oldest Constitution, and he spoke of freedom and of hope.

And just recently, on the 15th of March, the Reverend Lazzlo Tokes, gave the opening prayer at the session of the House of Representatives. This humble minister, only 37 years old, prayed . . . "We long after love and peace—please change our minds and feelings, make us capable to 'not love in word or speech, but in deed and in truth.'"

All these new leaders—one an electrician, another a playwright, and another a minister—are now called by free people to lead them into the world of hope.

The first point I would make is that each of these men came from the ranks of the people. They represented change from the people up to the Government. They are the symbols of the desires of the people to reclaim what God had originally given to them, the right to believe and practice their faith, to worship their God as they choose. The people called out, they stood with their bodies on the line, they had sacrificed and were ready to stand up to the dictators, now they were free.

Three seemingly ordinary men armed only with the tools of their trades—one an electrician who was trained to weld steel together, one a playwright armed with only his pen, and the third a minister, armed with his faith.

But they had dedicated their lives to something greater than their trades or their

professions—they were dedicated to being the people that God would have them be. And God blessed them as they guided the people out of darkness into light.

My second point is simple. How is it that these brave men and their people are bound together one with another, and how are we in solidarity with them?

It is through prayer. We may support them in other ways, but it is through prayer we become one people under God. Prayer is the only instrument that crosses all boundaries without limitation or restraint, without language or tradition, without common cultures or experiences. Prayer unites, prayer sustains, prayer makes us one people, prayer gives hope, prayer brings us into a power much greater than ourselves. Prayer transcends all our personal limitations, forgives our shortcomings, encourages us to be as God would have us be.

There will be initiatives coming from the Congress as to ways we can better help these people, but I would share with you today something of power that each one of you already knows—the power and reality of prayer.

As I stand here in front of this assembly of people of prayer, I ask you to join with me in remembering these leaders and their nations with fervent hope that God will continue to bless them in the days ahead. Reverend Lazzlo Tokes used in his prayer before the House of Representatives—"Bless our lives. Bless our faith and deeds. Bless our countries and people. Give us freedom and Peace."

Alfred Lord Tennyson wrote this great truth: "More things are wrought by prayer than this world dreams of."

God bless you.

## REFORMING THE EXPORT ADMINISTRATION ACT

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. BEREUTER. Mr. Speaker, last week the Foreign Affairs Committee completed consideration of H.R. 4653, to reauthorize the Export Administration Act of 1979.

The international marketplace has become very competitive, and the survival of many U.S. firms is dependent on their ability to compete in global markets. International competition is daunting and the deficit in our balance of trade continues to be a major concern.

In spite of these important challenges and difficulties, inappropriate elements and procedures related to our own export controls continue to give our competitors additional advantages and inhibit the ability of our own firms to export. These problems with the implementation of our controls also impair the ability of U.S. companies to gain economies of scale necessary for them to survive in a competitive international marketplace. This unfortunate scenario not only reduces employment opportunities in the short run, but has also contributed to our declining preeminence in many high technology industries.

We must streamline this process and remove the barriers which place our critical export industries in a disadvantageous position relative to our international competitors. Petty bureaucratic infighting and blatant disre-

gard of congressional directives by various parts of the executive branch charged with managing our export controls have in the past done incredible damage to high technology and defense industries of the United States.

Mr. Speaker, the following article appeared in the April 20, 1990, Journal of Commerce. It was written by Carole Grundberg, a highly capable and respected former staff director of the International Economic Policy and Trade Subcommittee of the House Foreign Affairs Committee. In this editorial, Ms. Grundberg explains well some of the problems faced by our exporters as a result of an export licensing system. This Member asks the executive branch to recognize these and other current difficulties, and work with the members of the House Foreign Affairs Committee and the Congress to fix the system. While we must limit the flow of critical technologies to potential adversaries, we cannot continue to destroy our high technology and defense industries by pointlessly frustrating the efforts of exporters and thereby assisting their competitors.

[From the Journal of Commerce, Apr. 20, 1990]

### MAKE COCOM FACE THE FUTURE

(By Carole A. Grundberg)

American high-tech exporters are about to take on anti-Soviet hard-liners once again in the struggle over the future of export controls.

The battlefield is Capitol Hill, where Congress is considering the renewal of the Export Administration Act, which expires in September. This law is the president's primary authority to regulate exports to protect national security, foreign policy and other interests.

High-tech companies and their congressional advocates already have fired opening salvos in a series of bills that would radically restructure U.S. and multilateral export control regimes. Paralyzed by differences among various agencies, the Bush administration has responded by proposing a simple one-year extension of current law.

Export controls affect at least half of the more than \$365 billion annual sales by U.S. aerospace, business equipment, computer, machine tool and telecommunications companies.

The National Academy of Sciences conservatively estimated in 1987 that the annual direct cost of export controls to American businesses ran upwards of \$9 billion. Indirect costs in terms of lost opportunities range far higher, and are in part responsible for the 30% decline in the U.S. share of the world electronics market since 1985.

Simply put, there are too many older products on the control list, and the United States unilaterally restricts exports of thousands of goods that are in wide circulation throughout the world.

Although product life cycles in high-tech industries typically average 24 months, thousands of items first produced in the 1970s remain subject to controls. The control list, which contains the items whose export is regulated by the 17-nation Coordinating Committee on Multilateral Export Controls, or Cocom, includes many technological dinosaurs. For example:

In March, the administration proudly announced that it was proposing to lift controls on certain machine tools only to dis-



cover that U.S. companies no longer manufacture those older models.

The administration retained controls for years on low-level digital Microvax II computers destined for Eastern Europe despite the fact that Hungary, East Germany and Czechoslovakia all had counterfeit models.

Since the development of the first Winchester disk drive in the 1970s, the storage capacity has jumped from 6 megabytes to 1 gigabyte. Millions of drives are produced around the world every year, yet Cocom still controls the older generation 45 megabyte Winchester.

Every Cocom country uses the Cocom list to regulate exports to Eastern Europe, the Soviet Union and China. However, the United States is alone in extending the list to cover exports to non-communist nations. According to the Commerce Department, 35% of U.S. export license applications are for shipments to our Cocom partners that include Japan, Australia and most West European nations. Less than 15% are for shipments to China, Eastern Europe and the Soviet Union.

Moreover, the U.S. licensing process is notoriously slow compared to those of our competitors. U.S. manufacturers typically must wait 120 days for a license that would be approved in four days in Japan and in two weeks in Europe. An Oregon-based high-tech company recently testified that it spent 18 months designing and developing its product, but needed 19 months to obtain an export license!

Changes in the global strategic and economic balance make bold reforms not only desirable but imperative. The cold warriors who persist in defending a system that has changed little since its birth in 1949 are out of touch with reality.

More Americans now perceive Soviet military prowess as a lesser threat than Japan's economic might. Democracy is replacing communism as the political currency of Eastern Europe. As East and West Germany move to reunite, export controls have been abandoned on goods flowing across Berlin's former checkpoints, and Bonn has informed its allies that Cocom export restrictions will not apply once Germany is reunited.

For starters, Congress should immediately codify a license-free zone for shipments to Cocom member nations, and then move to lift restrictions on all shipments that are not Cocom-controlled to Free World destinations. This would eliminate approximately 85% of the licensing burden on U.S. exporters.

Consistent with the relatively short product life of state-of-the-art technology, the United States should propose dropping from the Cocom list all items that have been on it for more than three years unless all members agree to keep controls in place. For the items then remaining on the list, exports to Eastern Europe and to non-military end users in the Soviet Union should be approved routinely.

Cocom's decisions affect the plans of thousands of companies and the livelihoods of their employees, but the executive branch keeps a shroud of secrecy around the group. Like the Great Oz, Cocom hides behind a curtain, dictating rules and intimidating exporters. It is time to pull back the curtain. The United States should take the initiative to publish the Cocom list and all Cocom decisions.

A tall order? Hardly. The House of Representatives approved some of these proposals in previous years, and all are under serious consideration in the respective congressional

committees. The rising tide of reform in Eastern Europe will carry the fortunes of America's exporters only so far. It is incumbent upon Congress to bring the export control regime into the 21st century.

## CONGRATULATIONS TO NEW JERSEY WAVE SWIM TEAM

### HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. TORRICELLI. Mr. Speaker, it is with great respect and admiration that I address my colleagues in the House today, for I rise to extend my heartiest congratulations and warmest best wishes to the members of the New Jersey Wave Swim Team.

The New Jersey Wave Swim Team was established in 1974 and is a club consisting of young men and women between the ages of 10 and under through high school. It is a comprehensive program dedicated to excellence not only in swimming, but also in discipline, good health, and dedication to the ideals of the American way of life. The team is broken down into instructional novice, advanced novice, age group, junior group, senior silver, senior prep, senior gold, and the national team.

During the 1989-90 season, the New Jersey Wave Swim Club was ranked seventh in the Nation. They won the New Jersey State Junior Olympics and numerous other State and National meets. The team was first in the national regional meet, the Northern New Jersey Invitational, the Trenton Holiday Classic, and the Connecticut/American AA Swim Meet.

Mr. Speaker I am proud to join in paying tribute to this exceptional group and extend my best wishes to them.

## TRIBUTE TO EVELYN SCHENGRUND

### HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. LEHMAN of Florida. Mr. Speaker, North Dade County, home of the 17th Congressional District, is fortunate to have one of the most informed and active citizenries in the country. Among the very best is a woman who combines the qualities of boundless hard work and noble idealism—my good friend, Evelyn Schengrund.

Especially in Northeast Dade, Evelyn has long been a determined force for the good of the community. A woman of quiet dignity and infectious enthusiasm, she is a strong believer in and practitioner of the politics of inclusion. Evelyn works hard to get as many people as possible involved in the governmental process. A firm believer that policy improves with greater citizen participation, Evelyn sets high standards for herself and never shirks doing whatever is necessary to make our democratic government function as well as possible.

Mr. Speaker, I would like to share with my colleagues an article on Evelyn Schengrund that appeared in the Spring edition of *Aventura* magazine:

EVELYN SCHENGRUND

(By Carol Romano)

"My job is not to be popular, my job is to get things done for the party." But Democratic Party Executive Committeewoman Evelyn Schengrund has ample proof that within Democratic circles she could win a popularity contest hands down.

A tiny woman whose smartly tailored shoulders bear the responsibility for getting folks fired up enough to get out and vote in 5 districts, Schengrund's appearance belies her strength. Beyond that soft-spoken lady facade resides a fiercely loyal, determined and politically savvy woman who brings years of business acumen and the passion of a concerned—yes, she allows the use of the "L" word—liberal, to the service of Dade's Democratic machine.

Schengrund's political life began in earnest when she retired from her third career. A retail business had led her into real estate ventures which, in turn propelled her into the role of developer. Retiring in 1976 from her position as president of Princeton Colonial Park in Princeton, New Jersey, she decided to move closer to her sister and begin a new life in Dade County. Dade County has never been the same!

"My Jewish immigrant parents imbued me from early childhood with a love for America that remains with me today. A respect for business success was a part of their ethic as well as an understanding of the power of politics. The political arena is, in my opinion, where America is at its best." Contending that political activism is the key to a strong, healthy democracy, Schengrund has little patience with apathy. "One must defend oneself against any denigration of enthusiasm," she insists. "I won't allow apathy to exist around me. I infect with my enthusiasm and that's how I get people involved in all sorts of movements."

Sometimes the causes for which she fights are minor ones, a conveniently placed bus stop or postal box, the cleanup and beautification of an abandoned lot near the entrance to her condominium, but just as often her issues are vital ones. Schengrund co-chaired a coalition sponsoring corporate child care centers in the workplace and lobbied strongly on the pro-choice question. She organized Seniors For Choice in the Aventura community. Without exposing these more fragile activists to the rigors of long, hot hours on the streets of the Capitol, Schengrund's flair for statement gave them a chance to publicly state their views in a packed meeting held in the auditorium of their high-rise. The turnout, a mini rally with hundreds of senior men and women, received broad media coverage.

"Organization is my forte," she says. "I feel that this community has great representation—all Democratic of course," (a touchingly girlish giggle accompanies that remark) "and I want to keep it that way. People want to keep Aventura the gem that it is. They are proud to be part of the growth here and they know that good political connections are of great value. As their political activist I am always available to the people of this community. They can come to me with any problem."

Indeed, interest in politics and government is high here. There is an outstanding turnout for elections, as high as 70% in gen-

eral elections; impressive numbers which far exceed the national average. That doesn't mean that party workers like Schengrund rest on their statistics. "I wake up and start my day by reading the paper from cover to cover. By 9 a.m. I'm on the phone, arranging, programming, scheduling meetings between candidates and constituents, fulfilling my duties as committeewoman. Every day I lunch with constituents to keep in touch with their concerns. I'm a widow, I'm free and I'm used to doing things my way. That's how my life revolves now and I wouldn't have it otherwise."

1990 is shaping up as an exciting time for Schengrund. Catastrophic health care, the fight to lower insurance rates, continuing the struggle for quality child care, all are on her agenda; but most important of all is to play her part in seating a Democrat in the Governor's mansion.

#### TRIBUTE TO BONNER UPSHAW

### HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to an outstanding individual, Mr. Bonner Upshaw. Mr. Upshaw is being honored by the Bonner Upshaw Testimonial Committee for his hard work as a Mount Clemens police officer.

Mr. Upshaw was born in Mount Clemens, MI, where he attended public schools until he graduated from Mount Clemens High School in 1951. After a year at the University of Michigan, Bonner enlisted into the U.S. Navy in 1952. Beginning in 1958, after serving 4 years in the U.S. Navy, Bonner played semi-professional football with the South Macomb Arrows for 3 years. In 1960, Bonner became the first African-American police officer in the history of Mount Clemens.

Mr. Upshaw served on the police force for 25 years, during which he was a detective for 9 years. He retired in 1985, after a distinguished career in law enforcement.

Mr. Upshaw opened doors for others to follow. It is my privilege to honor such a leader in our community. I wish Mr. Upshaw the best. He will long be remembered as a true friend to the city of Mount Clemens.

#### ATLANTA FAA ARTCC FACILITY RECOGNIZED

### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. GINGRICH. Mr. Speaker, the Sixth District of Georgia is proud to be the home of the Atlanta air route traffic control center [ARTCC] located in Hampton. This year we are particularly honored because the Federal Aviation Administration [FAA] has recently chosen the airways facilities sector at the Atlanta ARTCC for its 1989 Airway Facilities Sector of the Year award.

An ARTCC is a center which controls all air traffic beyond 50 miles of an airport. A sector is that department within an air traffic control

center responsible for maintaining the computerized radar and communication equipment used for air traffic control. The prestigious designation of 1989 ARTCC Sector of the Year comes from the FAA as a result of Hampton's successful competition with America's other 20 regional ARTCC's.

Every year the FAA reviews nomination packages submitted by participating ARTCC's. After screening the applications, the ARTCC's are rated by a scoring process. The score sheet takes into consideration three areas. "General Programs," such as cost efficient measures taken and emergency conditions dealt with or avoided, count 13 percent toward the overall score. "Human resource management programs," including personnel development practices and opportunities for personnel to express their ideas, opinions, and concerns about the work environment and sector operations, count 37 percent. And, the most heavily weighted, "facility performance," a quantitative measure of how often and how long the computerized radar at an airways facility is down—out of operation—counts 50 percent toward the overall score.

When the results were in, the sector maintenance employees at the Atlanta air route traffic control center were ranked first in the Nation because of their outstanding performance during 1989. I am sure I speak for all sixth district residents when I offer my congratulations and praise to Mr. Gene Nobles, sector manager of the Atlanta ARTCC, and the entire team of sector maintenance employees at the Atlanta ARTCC for their commitment to excellence.

In a very real way, these professionals hold the flying public's safety in their hands. They keep our air traffic computers up and running, and the Atlanta sector ARTCC employees are rated top in the nation for doing so. That is something Georgia can be very proud of. The reward for the Hampton team, however, is not only this official recognition by the FAA, but also the thanks of countless air passengers who have traveled safely due to the outstanding sector service provided in Hampton, GA.

I urge my colleagues to join me and my constituents in commending the sector maintenance employees at the Atlanta air traffic control center for the fine work they are doing. On June 26, 1990, there will be a ceremony in Hampton for the sector team. At that time representatives from the FAA will present a plaque in honor of the group's achievement. But our thanks and congratulations go out today, to every one of the sector employees at Hampton for a job well done and a job done well every day.

#### TWENTIETH ANNIVERSARY OF VOCA

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. BEREUTER. Mr. Speaker, today, this Member would like to congratulate Volunteers in Overseas Cooperative Assistance, known as VOCA, for 20 years of service to farmers and cooperatives around the world. Almost

200 volunteers will be gathering in Washington from all over the country this week to celebrate and share their experience as volunteers in helping others help themselves.

VOCA sends experienced senior cooperative executives and agricultural experts overseas to provide short-term technical assistance to cooperatives, private sector agricultural enterprises and government agencies in developing countries.

Since its founding in 1970, VOCA has completed more than 800 projects in some 87 developing nations, and has passed on appropriate U.S. technology and American technical know-how to tens of thousands of farmers and cooperators. Working side-by-side with their local counterparts, VOCA volunteers help improve crop production, processing, storage, marketing, agribusiness development as well as strengthen cooperative operations and management.

All of VOCA's work is done at the request of the organizations in developing countries which insures that the projects are needed and demonstrates a willingness to implement the recommendations.

For VOCA volunteers, often a husband and wife team, their out-of-pocket, air fare and housing expenses are covered; the local organization provides in-country administrative support. This makes VOCA one of the most cost-effective technical assistance organizations of our U.S. foreign assistance program.

Under the SEED legislation, VOCA is implementing a Farmer-to-Farmer Program in Poland which is revitalizing farmer cooperatives and developing private agribusiness. Two teams of U.S. volunteers have already provided critical advice on the management and business operations as Polish farmers reclaim their former state-controlled cooperatives. More than 100 U.S. farmers and agriculturalists will be providing hands-on expertise as the Polish economy shifts to a free market economy.

Of particular satisfaction to this Member is the role of VOCA in addressing international food and hunger needs through implementing the Farmer-to-Farmer Program which I authored in the 1985 farm bill. VOCA provides a valuable people-to-people link in finding practical solutions to world hunger. Because of this outstanding work, President Bush awarded VOCA a Presidential End Hunger Award in 1989.

As we consider the 1990 farm bill, I hope my colleagues will join with me in reauthorizing the Farmer-to-Farmer Program for another 5 years.

Finally, let me say to those VOCA personnel and supporters assembled in Washington that those of us in Congress who know of your great work appreciate what you have done to make the world a better place. We congratulate you. To VOCA and its small staff, I personally wish you well as you begin another decade of excellent service to mankind. You are truly carrying our best commodity to those abroad: American generosity, personal commitment, technical know-how, and a can-do spirit.



COMDR. RUSSELL HARRIS' ADDRESS TO THE MISSOURI STATE SENATE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. SKELTON. Mr. Speaker, recently the Captain of the submarine U.S.S. *Jefferson City*, Comdr. Russell Harris, visited Missouri's capital city. While there, he addressed the Missouri State Senate and the Missouri House of Representatives. Senator James Mathewson, president pro tem of the Senate, was kind enough to invite me to introduce Commander Harris to the body in which I formerly served. Commander Harris' address to the Missouri State Senate is set forth herein:

Senator Mathewson, members of the Missouri State Senate, ladies and gentlemen: Thank you for the invitation to speak this morning to discuss the birth of the submarine *Jefferson City*. As I talk about the submarine *Jefferson City* and her people, be tolerant when I speak of my ship and my crew. I have spent my adult life pursuing submarine command. Consequently, you will find no one more proud or more possessive of *Jefferson City* and her people than I.

The crew of *Jefferson City* will ultimately consist of 13 officers and 120 enlisted men.

Approximately half of them are currently abroad. The remainder will report aboard during the course of the next 10 months as we prepare to make our first venture to sea.

Those currently aboard consist primarily of nuclear propulsion plant operators. They will operate propulsion plant systems throughout an arduous and demanding period of testing, aligning, and proofing.

I wish you could meet these men. You will not find a more dedicated, hard working bunch anywhere. They range in age from 20 to 47. The average age is 27 and they come from 24 different states including 4 from the State of Missouri.

The sacrifices they and their families have made and will make have no equivalence outside the nuclear submarine navy. They are true heroes of the cold war and keepers of the peace.

I am sure if you knew them as I do you would be as proud of them as I am. They will do justice to the ship which bears the heritage of hard working, honest folks such as those of her namesake city and state.

*Jefferson City* will be:

362 feet long;

33 feet in diameter;

And displace 6,000 tons.

She will travel at speeds in excess of 20 knots and dive to depths greater than 400 feet.

She will be equipped with the latest in submarine weaponry, including:

Advanced combat control and acoustic systems;

Heavyweight torpedoes;

Harpoon antiship missiles; and

Tomahawk cruise missiles.

She will have engineering enhancements which will allow her to operate quieter, more reliably, and with improved survivability.

She will be capable of surfacing through the Arctic ice canopy. Most important of all she will be able to operate with unrivaled stealth in any ocean anywhere in the world.

In time of war she will seek out and destroy enemy submarines and surface ships.

She will strike targets ashore with her land attack variants of the Tomahawk cruise missile. She will operate unescorted and unsupported. She will carry the battle to the enemy and fight in his own waters at his own doorstep.

In time of peace or limited conflict she will prowls the depths at will in any ocean with complete impunity, her presence unknown to our adversaries. She will be ready to surveil and strike with surprise and awesome strength if so directed in our national interest.

I hope it is clear to all of you that the submarine *Jefferson City* will be a class all her own:

A true pillar for America's security;

A ship truly worthy to be named for the city of Jefferson.

On the eve of *Jefferson City*'s christening a newspaper reporter asked me: "Why build this ship now that peace is breaking out all over?"

It is not my role to address the controversies surrounding the military budget. Those are decisions for our national leaders. I hope they make wise decisions for us all.

I will however say this—peace did not start breaking out by accident or as a result of paper and good intentions. It was born from American strength, American conviction, and American political acumen.

I found the following words by the author Alexander Kent in a sea novel about the early days of the American Navy. I find them particularly relevant to the construction of the submarine *Jefferson City*. It reads:

"When Thomas Jefferson suggests a thing you don't argue too much \* \* \* power is heady medicine."

My answer to the reporter's question was simple—The *Jefferson* must be built to ensure peace keeps breaking out all over.

Those who share feelings of romance, awe, and adventure toward ships and the sea know that a ship is more than steel and wire. A ship has a life and a spirit of her own. The nature of that spirit comes from the men who sail her.

Mrs. Skelton gave the *Jefferson City* life.

My men have given her a spirit which you can all relish.

Like it or not, I, the men of *Jefferson City*, and our families are now Missourians regardless of our backgrounds. Therefore, I ask you to ponder these words of John Owen:

God and the sailor we alike adore

But only when in danger, not before:

The danger o' er, both are alike requited,

God is forgotten and the sailor slighted.

Please do not forget us when we dive into the silent sea. We are now part of your history forever.

Fair winds and following seas to you all.

NATIONAL ODYSSEY OF THE MIND

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. TORRICELLI. Mr. Speaker, it is with great respect and admiration that I address my colleagues in the House today, for I rise to extend my heartiest congratulations and warmest best wishes to the students of Fairmount School for becoming the New Jersey

State champions in the National Odyssey of the Mind Tournament. Fairmount School students from grades K-5 won first place in each of the three problems they competed in on Saturday, April 28, 1990.

The Odyssey of the Mind Program is a creative problem solving competition. The first tournament took place in 1978, under the auspices of the New Jersey State Department of Education and has since spread to nearly all 50 States, Canada, China, Mexico, and recently, the Soviet Union. Internationally, over 350,000 students participate in the Odyssey of the Mind Program.

Hackensack students won in three areas, omnitronic humor, classics—the seven wonders of the world, and recycle. The omnitronic humor team was required to develop and perform a comedy routine or a skit about a comedy routine. In addition the team had to design, build, and operate an original animated character that showed specific reactions and emotions. This omnitronic character had to smile, shed tears, look surprised, look bored, and show two reactions or emotions of the team's choosing. The second team won in the area of classics—the seven wonders of the world. This problem required the students to create and present a performance based on the seven wonders of the ancient world. The third winning team was required to develop a nonverbal communication system to guide blindfolded team members through a course laden with trash and obstacles. One team member was the dispatcher. Three blindfolded members had to pick up trash and take it to one of three transfer stations. The other blindfolded team member, had to collect the trash from the transfer stations and take it to the recycling center. The team had to place one container of hazardous waste in the hazardous wastesite.

The three Hackensack teams will now be part of a 13-contingency team representing the State of New Jersey at the Odyssey of the Mind World Finals to be held at Iowa State University from May 20 to June 3.

Mr. Speaker I am proud to join in paying tribute to this exceptional group and extend my best wishes to them in the upcoming Odyssey of the Mind World Finals.

ASSASSINATION OF COLOMBIAN PRESIDENTIAL CANDIDATE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. RANGEL. Mr. Speaker, Colombia last week was horrified by the assassination of Presidential candidate Carlos Pizarro Leon Gomez. He was brutally gunned down with an automatic pistol on a crowded commercial aircraft while on the campaign trail. The "Extraditables", the major Colombian drug traffickers wanted for trial in the United States, quickly took credit for the assassination. Mr. Pizarro was the third presidential candidate to be assassinated by the drug traffickers during this election campaign.

My heart goes out to the family, friends and supporters of Mr. Pizarro, as they mourn the

loss of a friend and leader. I also share the outrage that the Colombian people must feel at such heinous attacks on their democracy and freedom.

It is almost impossible for us to imagine the daily horrors and tragic sacrifices of our Colombian friends, who remain bravely steadfast in their commitment to fight the drug traffickers. We must admire the tremendous courage displayed by so many Colombian men and women, and we must do our best to support their efforts.

Colombian President Barco has been most appreciative of the moral support as well as resources the United States has provided to Colombia. However, he has made clear to us the types of long-term assistance that Colombia needs from the world community in order to attain victory over the drug cartels:

Stopping the flow into the Andes of essential chemicals used for the manufacture of cocaine;

Stopping the flow into the Andes of weapons, such as the automatic pistol used against candidate Pizarro;

Depriving drug traffickers of their profits, by conducting financial investigations and cracking down on money laundering; and

Reducing the demand for drugs.

Mr. Speaker, we must continue our support of our friends in Colombia, especially during this difficult time, and we must do more to work with the international community to achieve the long-term goals as outlined by President Barco. These goals will benefit the entire community of nations, and failing to achieve them will be a tragedy for us all.

### THE 63D APPLE BLOSSOM FESTIVAL

#### HON. D. FRENCH SLAUGHTER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. SLAUGHTER of Virginia. Mr. Speaker, this past weekend Winchester, VA, celebrated the 63d Apple Blossom Festival. The festival was a wonderful success. For those of you who were not able to be there for the festivities, I would like to submit the following remarks for the benefit of all Members and readers of the RECORD. They were given by Sallie Forman, vice president for government relations of the National Broadcasting Company [NBC].

#### SHENANDOAH APPLE BLOSSOM FESTIVAL

I'm flattered and delighted by this invitation. There can't be a lovelier setting for making a speech than here among the apple trees in the Shenandoah Valley.

As a representative of network television, I was a little surprised to be asked to address an apple blossom festival. We in the networks love apples as much as anybody, but sometimes in carrying out our journalistic duties we have to report on the occasional worm.

I know that a lot of people would prefer that TV news focus more on other aspects of the apple, like how shiny and red it is. But that might be because it had been sprayed with alar, and we'd have to report that too. There's no way conscientious jour-

nalism can avoid getting into controversy and making some folks mad.

The alar controversy is an example of how, even with the best intentions, people step on toes. It's an occupational hazard that both the media and people in government have in common. President Bush, for example, has an extremely low popularity rating on the broccoli farms of this Nation.

Government and the media find themselves in the role of adversaries a lot of the time. And that is as it should be in a democracy. But in a way, we're both in the same boat.

We're both dealing with a society full of change, conflict, and contradictions. The U.S.A. is always on the move, and always transforming itself, and the national media have to try to keep up with it. We in the networks are caught in the never-ending task of trying to figure out our pluralistic society, so that we can meet its ever-new requirements in information and entertainment.

This year NBC is celebrating 50 years as a television network, and the story of the half-century is really the story of a long and bumpy love affair with the public. We've wooed the American people in a hundred ways, and in a hundred costumes.

When NBC-TV and the other networks started out in the late forties with a regular schedule of programs, we tried TV versions of hit radio shows like "The Goldbergs". We literally took the radio script and had actors read it on camera. But it soon became apparent that what drew people to this new-fangled video gadget was something to look at, not to listen to.

And what caught their attention was pretty silly stuff: Milton Berle all gussied up in an evening gown—or wearing only a barrel and suspenders. That buck-toothed comic on "The Texaco Star Theater", using vaudeville sight gags, skyrocketed the sales of TV sets and helped establish television as the prime national pastime. (By the way Uncle Miltie's technique still can be seen on NBC—if you've ever caught Willard Scott dressed as Carmen Miranda).

The Texaco Theater ultimately ran out of gas, and in the fifties NBC devised a host of other formats: The tiny puppet theater of "Kukla, Fran and Ollie", the huge sound stage of the "the Kraft Television Theater", and the two-hour extravaganza of "Your Show of Shows". It was one of the most fertile periods of TV history. Two of our experiments turned out to be particularly durable: The early-morning information show, "Today", and the late-night and entertainment show, "Tonight".

Then came a phase when the public developed a huge craving for TV westerns—in one season there were as many as 30 horse operas on the air; NBC came with one of the best and longest-running: "Bonanza", on the tube for 14 years.

The westerns have ridden off into the sunset. But there is one area of programming where the public's interest has never been in doubt: sports. We've been reminded of that throughout the decades.

In 1947 NBC telecast the world series for the first time and drew the first real mass audience in TV history, nearly four million people—most of them sitting in bars. Another indicator was the famous time in 1968 when NBC cut from the last crucial minutes of a New York Jets/Oakland Raiders football game to show a movie "Heidi". Well maybe we didn't disappoint the children's audience, but our switchboard was swamped with protests as never before or since. And

there's one sure reminder of the huge popularity of TV sports; whenever there's a commercial break in the Super Bowl, water pressure goes down in cities all across the land.

Television and society went through a sea of change in the late sixties and early seventies. That was when the rending issues of Vietnam and civil rights bred so much doubt and division in the Nation. Our programming reflected that, and by reflecting it we sometimes drew the change that television itself was to blame for the dissension. There was a temptation to blame the messenger for the message. That was understandable. America in those years was steering an unfamiliar course, and television news was the window on a stormy present and uncertain future. People sat in their living rooms in front of their TV sets and saw history happening suddenly and violently before their eyes—from the rice paddies of Vietnam to the streets of Birmingham and Chicago.

But in its best moments television stepped in to forge unity and consensus. It could unite the Nation in grief, as on the weekend of John Kennedy's death. Or it could unite people in laughter. "Rowan and Martin's Laugh-In" scored a great hit on NBC by holding up many of our most cherished institutions to ridicule; even Richard Nixon appeared on the show saying "Sock It To Me". A few years later, that became a rather prophetic remark.

The 1970's brought in the age of "relevance" in entertainment programming. In dramatic series, "The Bold Ones" showed a new breed of senator, lawyer and doctor challenging the old ways of doing things. NBC was the first network to introduce black performers as stars of their own TV series, with Bill Cosby in "I Spy" and Diana Carroll in "Julia". And NBC's miniseries "Holocaust" stirred the conscience of millions by dramatizing the moral issue of genocide.

News took on an importance it never had in the days of 15-minute news casts by John Cameron Swayze. NBC lengthened its evening newscasts to half an hour, and the team of Chet Huntley and David Brinkley on NBC brought a new intelligence and wit to political reporting.

Since then, television has gone on serving the mood and need of the time. It can serve up something as trivial and zany as "Late Night With David Letterman". Or it can make gripping drama out of social issues on "L.A. Law", or in the docudrama "Roe vs. Wade".

With satellite transmission, miniaturized cameras and electronic editing now commonplace, TV news is more capable than ever of bringing far-off reality into the living room. Last year we saw the Berlin Wall suddenly turned into "The Berlin Mall". East Germans were milling past the Brandenburg Gate for a look at freedom. It was a great moment . . . and our cameras were there. Even before the world's leaders had time to react, American viewers were sharing the euphoria as it was happening.

So, all in all, as we look back on this 50-Year affair between television and the public, we can say we've surmounted the hurdles. Television networks and their hundreds of affiliated stations around the country such as NBC affiliates WRC-TV, Channel 4 in Washington and WHAG-TV Channel 25 in Hagerstown that serve your area have engaged in a tireless effort to program to national and local tastes, and to bring audiences to advertisers.



The result has made the American system of free over-the-air television the most successful in the world, and today we see many other nations emulating us—shifting from state control to free competition in broadcasting.

But the current decade, the decade of the nineties, presents a new kind of change that the networks have to deal with. It's a change not in public tastes, but in the marketplace. The competitive environment of the networks has been transformed by the growth of alternative ways of delivering television to the viewer.

In the space of just ten years, independent television stations have grown from 120 to more than 400. Cable penetration has expanded from 21 to 56 percent of television homes. There are upwards of 30 very sizeable cable networks. VCR's comparatively rare ten years ago, are now in two out of every three homes. Video stores have become as prevalent as pizza parlors.

So the three major networks have become part of a much larger crowd competing for the viewer's attention. Ten years ago, a TV viewer had an average of 10 channels to choose from. Today it's more than 30. With so many more programming choices, it's natural that the networks' share of TV audience has eroded. The networks have lost nearly a quarter of their audience share since 1980. It's down to 65 percent today, likely to go lower.

When audience share goes down so does advertising revenue, and so do profits. ABC, CBS and NBC depend almost entirely on advertising income to pay for their programming. Cable on the other hand, can finance itself from two sources—subscription fees and advertising. That may be one reason why the total revenues of the cable industry now surpass those of all broadcast stations, and their cash flow is running more than double that of broadcasters.

Besides the competition for audience and ad revenues, these alternative media compete for program sources. It's now a seller's market in the sale of program rights and sports rights, and the price of getting something to put on a network schedule as gone sky high.

"The Cosby Show" for instance is great television, but it doesn't come cheap. NBC just signed that top-rated show for the 7th season. Shortly after we signed, one of the "Cosby" producers went out and bought the San Diego Padres.

Sports rights are through the roof and into the stratosphere. To get the 1992 Barcelona Summer Olympics, NBC is paying half a billion in rights and production costs. CBS paid an astounding \$1.1 billion for major league baseball over the next four years.

And all that news coverage that everybody expects from the networks is a growing burden on the network budgets—not just the regular newscasts but the specials on everything from a space launch to a summit meeting. More has to be spent on satellite leasing and the high-tech hardware. NBC alone has lost close to half a billion dollars on its news operations over the last decade.

Increasing competition, a diminishing share of audience and ad revenues, rising costs—it all adds up to a very different world for the networks in the nineties—a much less friendly environment. What to do when you find yourself in a change situation? Adapt.

That's what NBC is doing. The peacock has always been an adaptable bird. Just as our programming has changed with the

countless changes in public tastes over the years, so our business activity is reforming itself to the realities of the new marketplace.

First, we recognize a new role for our company. While our core business remains—and will remain—over-the-air networking, we see ourselves primarily as a programming company. In the spirit of the times, we recognize that there is not just one way of getting programming to the home screen. There are many ways. And, as for as regulations permit, we are trying to program for a variety of video services.

We also recognize that the traditional boundaries that separate one kind of media company from another are gone. In a media world that produces vertically-integrated combinations like Time-Warner and the Rupert Murdoch empire, and Sony-Columbia, there are no hard-and-fast barriers.

So the peacock is growing some new feathers. We're not allowed under current regulations to get into some areas of the business many of our competitors are in, like syndication, financial interest in programs, cable system ownership. But we are branching out and trying to broaden our base.

We've taken major steps into the cable business. NBC has a programming partnership with one of the Nation's leading systems operators, Cablevision, Inc. We share an interest in 12 different cable program services. One of these is one we launched ourselves just one year ago—CNBC, the consumer news and business channel.

This network-cable marriage has opened some exciting new opportunities for service to the public. In Olympics coverage. Added to our free over-the-air coverage of 160 hours of the Barcelona games, we'll offer a package of 600 additional hours over several cable channels, on a pay-per-view basis, we think the Barcelona Olympics will be an eye opener to everybody on how broadcast and cable TV can enhance each other to viewer benefit.

Another example is a proposed venture into outer space, into the still unrealized realm of direct broadcast satellite. We've reached a tentative agreement with three partners to launch a DBS service in late 1993, and we're calling it sky cable. Sky cable would be different from previous ventures in DBS; it would beam from a satellite transmitter so powerful that as many as 108 channels can be received in the home on an antenna the size of a table napkin. The device could be bought for only about \$400 dollars.

Just as we've crossed barriers to do business in cable and DBS, we're also venturing into new arrangements overseas—with visnews in the U.K., for added strength in world news coverage, and we've tied in with new broadcast affiliates in Australia and New Zealand.

None of this signifies an abandonment of NBC's traditional role in free over-the-air network service, our most important contribution to the life of America for five decades.

In today's vastly changed communications marketplace, it has become imperative to broaden our business base in order to preserve the health and viability of our basic network service.

We do have a number of disadvantages. The networks, as some of you may know, are just about the only business in today's free-wheeling media world that are subject to heavy government regulation. Deregulation never happened for us, and as I noted a few moments ago, this bars us from some of

the most profitable areas of television today.

Under what are called the financial interest and syndication rules, a network cannot share in the profits of a program after its network showing. It can't engage in syndication. And its right to produce its own programming has been severely limited. These measures were adopted 20 years ago, when the networks were thought to dominate the television market. Hollywood studios have an interest in keeping the rules in force, and so far their lobbying effort has prevailed.

Why should the public care whether the networks are freed of these regulations?

For one thing, it makes little sense to hamper the competitiveness of America's most important media companies at a time when foreign owners are free to move in and buy up chunks of our entertainment industry.

It seems absurd that Sony and Murdoch are free to form vertically integrated structures and controlling both program production and distribution, and yet the three American network companies cannot do the same. There should be a level playing field for everyone.

The U.S. network system provides a unique grass-roots connection to local communities through affiliated stations. There is no other medium that provides this kind of local and national service to a mass audience. And there is no other medium that serves the economy so well as a mass marketing tool.

Finally, the networks help us to cohere as a nation. Through programs like "Roots" and "All in the Family" and "The Cosby Show", network viewing helps remind us that we are united in our diversity. It has been a force for tolerance, sympathy and understanding in modern America. Television news has helped us through some of our roughest and tensest moments as a nation.

With our society fractionalizing into ever smaller and more private worlds, there are fewer and fewer occasions that bring our country together. The Presidential elections is one of them. And simultaneous viewing of free over-the-air network television is another. It's hard these days to think of many more.

Whether it's something as serious as a speech from the White House or as breezy as a Bob Hope special, whether it's nightly news or a Super Bowl spectacular, it is a common experience that Americans everywhere can share.

Sharing in the good things is what makes this country great. In fact, it's what we're doing here today at the Shenandoah festival. I don't want to keep you any longer from the pleasures of the day, so I'll say thank you again for hearing me and for letting me be a part of this lovely occasion.

#### THE WEYMOUTH COUNCIL ON AGING: CELEBRATING 30 YEARS OF SERVICE TO THE COMMUNITY

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. DONNELLY. Mr. Speaker, I rise today to pay a special tribute to the people of the Weymouth Council on Aging, of Weymouth, MA,

who today are celebrating the 30th anniversary of their creation.

The resolution creating the Weymouth Council on Aging was unanimously adopted at the annual town meeting in 1960. The council was formed to coordinate and carry out programs designed to meet the problems of the aging, in conjunction with the State Council on Aging. The 11 member council is made up of local elected officials and appointed residents of the town of Weymouth.

The Council on Aging provides numerous services to the senior citizens on the Weymouth community. It provides information and referral on existing programs, and offers outreach and counseling services to area seniors. It runs an Alzheimer's support group and health screening clinics. The council also coordinates transportation to various programs and locations in the community for area seniors. This service is particularly important because it allows senior citizens to retain their freedom and independence.

Mr. Speaker, these are just a few examples of the many important programs that the council has provided to the senior citizens of Weymouth during its first 30 years. It has been my great pleasure to work with the people of the Weymouth Council on Aging. I am confident that the council will continue to provide quality services to the Weymouth community for many years to come.

#### HABEAS CORPUS REVISION ACT OF 1990

**HON. ROBERT W. KASTENMEIER**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Monday, May 7, 1990*

Mr. KASTENMEIER. Mr. Speaker, I am pleased today to introduce a bill that would revise the procedures by which State prisoners may seek habeas corpus relief in the Federal courts. Habeas corpus is an issue that has long been of interest to me, and to the Subcommittee on Courts, Intellectual Property, and the Administration of Justice, which I chair. My subcommittee will hold 2 days of hearings on the issue on May 16 and May 24.

A habeas corpus proceeding is the vehicle by which prisoners can obtain judicial review of the process that culminated in their incarceration. It has been a mainstay of our Nation's judicial system for more than a century. Over the course of the past two decades, habeas corpus litigation has given rise to an increasingly complex, confusing, and sometimes unfair body of law.

My bill recognizes that States and the American public have a legitimate interest in ensuring that this country's criminal laws are effectively enforced, that criminal cases move through the system efficiently and with appropriate speed, and that these cases be thoroughly considered and fairly decided.

There is virtual unanimity of opinion among interested observers that the time has now come for Congress to revisit and revise the habeas corpus laws, in particular as they relate to prisoners who have been sentenced to death. The efforts of several illustrious groups reflect the need to enhance the fair-

ness and efficiency of these laws. The Powell Committee, composed of several esteemed Federal judges and chaired by retired Supreme Court Justice Lewis Powell, issued its report last fall. The full judicial conference reviewed and revised the Powell Committee's report, and made its recommendations early this year. An American Bar Association task force, comprised of representatives of all sectors of the legal community, held a series of hearings around the country, and reported its results last fall. In addition, there are several bills pending in both houses of Congress that would revise the habeas corpus rules in a variety of ways.

My bill accepts three major premises of these various proposals. First, the death penalty will continue to be imposed for certain crimes. Second, the Federal habeas corpus review process is an important part of our criminal justice system. Third, there are serious problems with the current process and it must be revised so that it is more efficient, expeditious, consistent, and fair.

None of the proposals will completely eliminate delay between a sentence of death and final review of that sentence. Delay is appropriate. No civilized society would want to impose a death sentence without knowing that it was fairly and fully considered and imposed. All of the proposals recognize, therefore, that while they will reduce delay somewhat, they will not eliminate it entirely.

These groups and individuals also agree that the Congress needs to address certain key issues and my bill does so. For example, current law does not sufficiently encourage timely initiation of habeas proceedings, so my bill provides a 1-year statute of limitations in capital cases.

In order to complete all appropriate stay and Federal review processes, prisoners facing death sentences must now seek stays of execution on a haphazard, case-by-case basis. To avoid these frenzied eleventh-hour efforts to obtain stays, my bill requires automatic stays until all review is completed.

It is in everyone's interest that all legitimate issues be raised and thoroughly aired as early in the process as possible. The bill therefore encourages the resolution of all claims in the trial courts, rather than through Federal habeas corpus proceedings. In particular, it clarifies the circumstances in which a prisoner will be deemed to have defaulted for failure to raise a claim in State proceedings. It promotes resolution of any remaining claims that are not resolved by the States in a single habeas proceeding, rather than by multiple petitions.

The bill dispenses with the requirement that a court certify appeals of denials of habeas petitions, since in capital cases these appeals are always appropriate.

The better the legal assistance in the first instance, the less need prisoners will have to later attack their convictions. The bill therefore creates a mechanism for the appointment of qualified counsel in capital cases. This provision not only makes judicial proceedings fairer, but it also conserves scarce judicial resources.

The other bills that are pending were introduced before all of the expert analysis on the habeas corpus issue had been completed.

Some were introduced before the ABA task force reported, some before the full judicial conference acted, and some even before the Powell Committee issued its recommendations. My bill capitalizes on the collective wisdom of all of the groups and individuals that have studied habeas corpus law extensively. I believe that it is therefore the optimal proposal for a much needed revision of the law. I look forward to the hearings on May 16 and 24, and to a fair and prompt resolution of this complex issue.

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Habeas Corpus Revision Act of 1990".

#### SEC. 2. LIMITATIONS PERIOD IN CAPITAL CASES.

Section 2254 of title 28, United States Code, is amended by adding after subsection (f) the following:

"(g)(1) In the case of an applicant under sentence of death, any application for habeas corpus relief under this section must be filed in the appropriate district court within one year from the following date, whichever is appropriate:

"(A) The date of denial of a writ of certiorari, if a petition for a writ of certiorari to the highest court of the State on direct appeal from the conviction and sentence is timely filed in the Supreme Court.

"(B) The date of issuance of the mandate of the highest court of the State on direct appeal from the conviction and sentence, if a petition for a writ of certiorari is not filed in the Supreme Court.

"(C) The date of issuance of the mandate of the Supreme Court, if on a petition of a writ of certiorari the Supreme Court, upon consideration of the case, disposes of it in a manner that leaves the capital sentence undisturbed.

"(2) The time requirements established by this section shall be tolled—

"(A) during any period in which the applicant is not represented by counsel as described in section 8 of the Habeas Corpus Revision Act of 1990;

"(B) during the period from the date the applicant files an application for State post-conviction relief until final disposition of the application by the State appellate courts and the Supreme Court, if all filing deadlines are met;

"(C) during any period authorized by law for the filing of any petitions for rehearing and similar petitions, if all filing deadlines are met; and

"(D) during an additional period not to exceed 90 days, if counsel moves for an extension in the district court that would have jurisdiction of a habeas corpus application and makes a showing of good cause.

"(3) The sanction for failure to comply with the time requirements established by this section shall be dismissal, except that the time requirements shall be waived if—

"(A) the applicant presents a colorable claim, not previously presented, of factual innocence or ineligibility for a capital sentence; or

"(B) other exceptional circumstances warrant a waiver."

#### SEC. 3. STAYS OF EXECUTION IN CAPITAL CASES.

Section 2251 of title 28, United States Code, is amended—

(1) by inserting "(a)(1)" before the first paragraph;



(2) by inserting "(2)" before the second paragraph; and

(3) by adding at the end the following:

"(b) In the case of an individual under sentence of death, a warrant or order setting an execution date shall be stayed upon application to any court that would have jurisdiction over an application for habeas corpus under this chapter. The stay shall be contingent upon reasonable diligence by the individual in pursuing relief with respect to such sentence and shall expire if—

"(1) the individual fails to apply for relief under this chapter within the time requirements established by section 2254(g) of this title;

"(2) upon completion of district court and court of appeals review under section 2254 of this title, the application is denied and—

"(A) the time for filing a petition for a writ of certiorari expires before a petition is filed;

"(B) a timely petition for a writ of certiorari is filed and the Supreme Court denies the petition;

"(C) a timely petition for a writ of certiorari is filed and, upon consideration of the case, the Supreme Court disposes of it in a manner that leaves the capital sentence undisturbed; or

"(3) before a court of competent jurisdiction, in the presence of counsel qualified under section 2257 of this title, and after being advised of the consequences of the decision, an individual waives the right to pursue relief under this chapter."

#### SEC. 4. SUCCESSIVE PETITIONS IN CAPITAL CASES.

Section 2244(b) of title 28, United States Code, is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end the following:

"(2) In the case of an applicant under sentence of death, a second or successive application presenting a claim not previously presented by the applicant in an application under this chapter shall be dismissed unless—

"(A) the failure to raise the claim previously is—

"(i) the result of interference by State officials;

"(ii) the result of Supreme Court recognition of a new Federal right that is retroactively applicable; or

"(iii) the result of the discovery of facts that could not have been discovered previously by the exercise of reasonable diligence; or

"(B) the facts underlying the claim would be sufficient, if proven, to undermine the court's confidence in the applicant's guilt of the offense or offenses for which the capital sentence was imposed or the appropriateness of that sentence; or

"(C) consideration of the application is necessary to prevent a miscarriage of justice.

"(3) In the case of an applicant under sentence of death, a second or successive application under this chapter shall be dismissed unless the interests of justice would be served by reconsideration of the claim."

#### SEC. 5. CERTIFICATES OF PROBABLE CAUSE.

The third paragraph of section 2253, title 28, United States Code, is amended to read as follows:

"An appeal may not be taken to the court of appeals from the final order in a habeas corpus proceeding where the detention complained of arises out of process issued by a State court, unless the justice or judge who rendered the order or a circuit justice or judge issues a certificate of probable cause. However, an applicant under sentence of

death shall have a right of appeal without a certificate of probable cause, except after denial of a second application."

#### SEC. 6. LAW APPLICABLE IN CHAPTER 153 PROCEEDINGS.

(a) IN GENERAL.—Chapter 153 of title 28, United States Code, is amended by adding at the end the following:

##### "§ 2256. Law applicable

"(a) Except as provided in subsection (b) of this section, each claim under this chapter shall be governed by the law existing on the date the court considers the claim.

"(b) The court may decline to apply a new rule if applying that new rule would—

"(1) fail to serve the purpose of the new rule;

"(2) upset State authorities' reasonable reliance on a different rule; and

"(3) seriously disrupt the administration of justice.

"(c) For purposes of this section, a new rule is a sharp break from precedent that positively changes the law from that governing at the time the claimant's sentence became final. A rule is not new merely because, based on precedent existing before the rule's announcement, it was susceptible to debate among reasonable minds.

"(d) For purposes of this section, a claimant's sentence becomes final at the conclusion of State court appellate and collateral litigation on the claimant's conviction and sentence and any direct review in the Supreme Court of the United States."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 153 of title 28, United States Code, is amended by adding at the end the following:

"2256. Law applicable in Federal proceedings."

#### SEC. 7. PROCEDURAL DEFAULT IN STATE COURT.

Section 2254 of title 28, United States Code, is amended by adding after the subsection added by section 2 of this Act the following:

"(h) A district court may decline to consider a claim under this section if—

"(1)(A) the applicant previously failed to raise the claim in State court at the time and in the manner prescribed by State law;

"(B) the State courts, for that reason refused to entertain the claim; and

"(C) such refusal would constitute an adequate and independent State law ground that would foreclose direct review of the State court judgment in the Supreme Court of the United States; and

"(2) the applicant fails to show cause for the failure to raise the claim in State court and prejudice to the applicant's right to fair proceedings or to an accurate outcome resulting from the alleged violation of the Federal right asserted, or that failure to consider the claim would result in a miscarriage of justice.

"(3) For purposes of this subsection, cause is an explanation for procedural default not attributable to an intentional decision to ignore a State's procedural rules. An applicant may establish cause by showing that—

"(A) the factual or legal basis of the claim could not have been discovered by the exercise of reasonable diligence before the applicant could have raised the claim in State court, or was not discovered or asserted because the applicant's counsel failed to exercise reasonable diligence;

"(B) the claim relies on a retroactive proposition of law announced after the applicant might have raised the claim in State court;

"(C) the failure to raise the claim in State court was due to interference by State officials; or

"(D) the failure to raise the claim in State court was due to counsel's ineffective assistance in violation of the United States Constitution."

#### SEC. 8. COUNSEL IN CAPITAL CASES.

(a) REQUIREMENT.—A State in which capital punishment may be imposed shall provide legal services to—

(1) indigents charged with offenses for which capital punishment is sought;

(2) indigents who have been sentenced to death and who seek appellate or collateral review in State court; and

(3) indigents who have been sentenced to death and who seek certiorari review in the United States Supreme Court.

(b) ESTABLISHMENT OF APPOINTING AUTHORITY.—The State shall establish an appointing authority, which shall be—

(1) a statewide defender organization, appointing staff attorneys, members of the private bar, or both; or

(2) a resource center, appointing staff attorneys, members of the private bar, or both.

(c) FUNCTIONS OF APPOINTING AUTHORITY.—The appointing authority shall—

(1) recruit attorneys qualified to be appointed in the proceedings specified in subsection (a);

(2) draft and annually publish rosters of qualified attorneys;

(3) draft and annually publish procedures by which attorneys are appointed and standards governing the qualifications and performance of counsel appointed; and such standards shall include—

(A) membership in the bar of the jurisdiction or admission to practice *pro hac vice*;

(B) knowledge and understanding of pertinent legal authorities regarding the issues in capital cases in general and any case to which an attorney is appointed in particular;

(C) skills in the management and conduct of negotiations and litigation in capital cases;

(D) skills in the investigation of capital cases, the background of clients, and the psychiatric history and current condition of clients;

(E) skills in trial advocacy, including the interrogation of defense witnesses, cross examination, and jury arguments;

(F) skills in legal research and in the writing of legal petitions, briefs, and memoranda; and

(G) skills in the analysis of legal issues bearing on capital cases;

(4) periodically review the rosters, monitor the performance of all attorneys appointed, and delete the name of any attorney who—

(A) fails satisfactorily to complete regular training programs on the representation of clients in capital cases;

(B) fails to meet performance standards in a case to which the attorney is appointed; or

(C) fails otherwise to demonstrate continuing competency to represent clients in capital cases;

(5) conduct or sponsor specialized training programs for attorneys representing capital clients;

(6) appoint two attorneys, lead counsel and cocounsel, to represent a client in a capital case at the relevant stage of proceedings, promptly upon receiving notice of the need for the appointment from the relevant State court; and

(7) report such appointment or the client's failure to accept counsel in writing to the court requesting the appointment.

(d) **DETERMINATION OF COMPETENCY AND WAIVER.**—Upon receipt of notice from the appointing authority that an individual entitled to the appointment of counsel under this section has declined to accept such an appointment, the court requesting the appointment shall conduct, or cause to be conducted, a hearing, at which the individual and counsel proposed to be appointed under this section shall be present, to determine the individual's competency to decline that appointment, and whether the individual has knowingly and intelligently declined it.

(e) **ROSTERS.**—

(1) **IN GENERAL.**—The appointing authority shall maintain two rosters of attorneys: one roster listing attorneys qualified to be appointed for the trial and sentencing stages of capital cases, the other listing attorneys qualified to be appointed for the appellate, collateral and certiorari stages. Each of the rosters shall be divided into two parts, one listing attorneys qualified to be appointed as lead counsel, the other listing attorneys qualified to be appointed as cocounsel.

(2) **LEAD COUNSEL AT TRIAL OR SENTENCING STAGE.**—An attorney qualified to be appointed lead counsel at the trial or sentencing stages shall:

(A) be a trial practitioner with at least 5 years of experience in the representation of criminal defendants in felony cases;

(B) have served as lead counsel or co-counsel at the trial or sentencing stages in at least 3 homicide cases tried to a jury and in at least one case in which a capital sentence was sought;

(C) be familiar with the law and practice in capital cases and with the trial and sentencing procedures in the relevant State;

(D) have completed, within one year prior to the appointment, at least one specialized training program in the representation of capital defendants at the trial or sentencing stages; and

(E) demonstrate the proficiency and commitment necessary to the provision of legal services to capital clients.

(3) **CO-COUNSEL AT TRIAL OR SENTENCING STAGE.**—An attorney qualified to be appointed co-counsel at the trial or sentencing stages shall—

(A) be a trial practitioner with at least 3 years of experience in the representation of criminal defendants in felony cases;

(B) have served as lead counsel or co-counsel at the trial or sentencing stages of at least 2 homicide cases tried to a jury; and

(C) meet the standards in paragraph (2) (C), (D), and (E) for lead counsel at the trial or sentencing stages.

(4) **LEAD COUNSEL AT APPELLATE, COLLATERAL, OR CERTIORARI STAGE.**—An attorney qualified to be appointed lead counsel at the appellate, collateral, or certiorari stages shall—

(A) be an appellate practitioner with at least 5 years of experience in the representation of criminal clients in felony cases at the appellate, collateral, or certiorari stages;

(B) have served as lead counsel or co-counsel at the appellate, collateral, or certiorari stages in at least 3 cases in which the client had been convicted of a homicide offense and in at least one case in which a capital sentence had been imposed;

(C) be familiar with the law and practice in capital cases and with the appellate, collateral, and certiorari procedures in the relevant State courts and the United States Supreme Court;

(D) have completed, within one year prior to the appointment, at least one specialized

training program in the representation of capital clients at the appellate, collateral, and certiorari stages; and

(E) demonstrate the proficiency and commitment necessary to the provision of legal services to capital clients.

(5) **CO-COUNSEL AT APPELLATE, COLLATERAL, OR CERTIORARI STAGE.**—An attorney qualified to be appointed co-counsel at the appellate, collateral, or certiorari stages shall—

(A) be an appellate practitioner with at least 3 years of experience in the representation of criminal clients in felony cases at the appellate, collateral, or certiorari stages;

(B) have served as lead counsel or co-counsel at the appellate, collateral, or certiorari stages in at least 2 cases in which the client had been convicted of a homicide offense; and

(C) meet the standards in paragraph (4) (C), (D), and (E) for lead counsel at the appellate, collateral, or certiorari stages.

(f) **APPOINTMENT OF NONROSTER ATTORNEYS IN CERTAIN CASES.**—An attorney who is not listed on the relevant roster shall be appointed only on the request of the client concerned and in circumstances in which the attorney requested is able to provide the client with high quality legal representation and justice would be served by the appointment.

(g) **PAYMENT OF ATTORNEYS FROM PRIVATE BAR.**—

(1) **IN GENERAL.**—Attorneys appointed from the private bar shall be—

(A) compensated for actual time and service, computed on an hourly basis and at a reasonable rate in light of the attorney's qualifications and experience and the local market for legal representation in cases reflecting the complexity and responsibility of capital cases;

(B) reimbursed for expenses reasonably incurred in the representation of the client; and

(C) reimbursed for the costs of law clerks, paralegals, investigators, experts, or other support services reasonably needed in the representation of the client.

(2) **COMPUTATION OF CERTAIN PAYMENTS.**—Payments under subsection (g)(1)—

(A) with respect to law clerks and paralegals, shall be computed on an hourly basis reflecting the local market for such services; and

(B) with respect to investigators and experts, shall be commensurate with the schedule of fees paid by State authorities for such services.

(h) **PROMPT PAYMENT OF ATTORNEYS FROM PRIVATE BAR.**—Appointed attorneys from the private bar shall receive prompt payment for legal services and reimbursement for expenses and support services upon the submission of periodic bills, receipts, or other appropriate documentation to the appointing authority or other appropriate State agency. The appointing authority shall promptly resolve any disputes with respect to such bills. Attorneys appointed as staff counsel for a defender organization or resources center shall be entitled to the support services listed in subsection (g)(1) (B) and (C) at public expense.

(i) **SANCTIONS.**—

(1) **IN GENERAL.**—If—

(A) a State fails to provide counsel in a proceeding as required under this section; or

(B) such counsel fails to meet the performance standards established by the appointing authority; subsection (h) and section 2254(d) of title 28, United States Code, shall not apply with respect to such proceeding in a case under chapter 153 of title 28, United States Code.

(2) **CHAPTER 153.**—The court may in its discretion provide relief under chapter 153 of title 28, United States Code, with respect to any failure described in paragraph (1).

(3) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 153 of title 28, United States Code, is amended by adding after the item added by section 6 the following:

"2257. Counsel in capital cases."

**SEC. 9. EXHAUSTION OF STATE REMEDIES.**

Section 2254 of title 28, United States Code, is amended by striking subsections (a) through (b) and inserting the following:

"(a) An individual may apply for a writ of habeas corpus under this chapter if the individual is in custody pursuant to a State court criminal conviction and sentence obtained in violation of the Constitution or laws or treaties of the United States.

"(b) A claim for relief under this section may be dismissed if the petitioner has failed to exhaust available and effective State court remedies before presenting the claim in Federal court. Any dismissal for failure to exhaust State court remedies shall be limited to a claim with respect to which currently available remedies have not been exhausted and shall be without prejudice to further application after such exhaustion."

## FESTA ITALIANA

### HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 7, 1990

Mr. RINALDO. Mr. Speaker, over 20 million American citizens make up the Italian community throughout the United States, including many who live in my home State of New Jersey.

From one generation to the next, they have enriched our State's culture, social and business life, and strengthened their communities through many acts of public service.

For the 20th year, Italian-Americans in New Jersey will join together to celebrate their heritage at the Festa Italiana at the Garden State Arts Center. Italian food, music, art, dance, and artifacts will be on display as part of this 2-day festival on June 16 and 17.

It will attract thousands of residents of the Garden State and raise funds to enable senior citizens, the handicapped and disabled, veterans, and disadvantaged schoolchildren to attend dance and music performances at the Garden State Arts Center.

The Festa Italiana calls attention to the contributions and assimilation of millions of Italian-Americans in our society. As one of the largest ethnic groups in New Jersey, Italian-Americans have contributed to our State's rich heritage in education, medicine, science, business, the professions, the arts, and building trades.

Italian-Americans rank first in New Jersey with some 831,000 residents claiming to be born of Italian parents, according to the New Jersey State Data Center.

New Jersey is indeed proud that we have elected the first Italian-American as our Governor. A former Member of Congress, Governor James Florio proudly identifies himself as an Italian-American whose roots are a remind-



er of the efforts, sacrifices, and struggles of Italian immigrant families in becoming citizens of this country and in the success of their children and grandchildren in fulfilling the American dream.

In recognition of the achievements of Italian-Americans and of Christopher Columbus' discovery, Congress last year designated the month of October as "Italian-American Heritage Month." All across this Nation, festivals, concerts, and a celebration of the arts took place to honor the Italian-American people. As we approach the 500th anniversary of Columbus' historic journey to America, we take pride in our traditions and pass on our heritage to future generations.

The Festa Italiana on June 16 and 17 is due to the efforts of many Italian-American organizations in bringing together the skills, traditions, and creative talents of New Jersey residents who take pride in our State and in their Italian heritage.

I extend to the Festa Italiana committee men and women and the participating organizations my best wishes for another successful event that celebrates the accomplishments and history of Italian-Americans in the State of New Jersey.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 8, 1990, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### MAY 9

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To resume hearings on S. 1981, to permit the Bell Telephone Companies to conduct research on, design, and manufacture telecommunications equipment.

SR-253

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Governmental Affairs

Federal Services, Post Office, and Civil Service Subcommittee

To hold hearings to review the annual report of the U.S. Postmaster General.

SD-342

Small Business

To hold hearings to review the Small Business Administration small business investment companies program.

SR-428A

10:00 a.m.

Appropriations

Treasury, Postal Service, General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Office of Management and Budget, and the Executive Office of the President.

SD-116

Environment and Public Works

Water Resources, Transportation, and Infrastructure Subcommittee

To hold hearings on proposed legislation authorizing funds for the highway trust fund and related Federal-aid highway programs and on highway policy issues.

SD-406

Foreign Relations

European Affairs Subcommittee

To hold hearings to examine the future of NATO's military policy, focusing on eastern Europe and the German reunification negotiations.

SD-419

Labor and Human Resources

To hold hearings on proposed legislation on homelessness prevention and community revitalization.

SD-430

2:00 p.m.

Armed Services

Strategic Forces and Nuclear Deterrence Subcommittee

To hold closed hearings on S. 2171, authorizing funds for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the Trident missile and submarine programs.

SR-222

Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study, on S. 1189, to establish the Office of Ocean and Coastal Zone Management and to require coastal States to implement coastal zone water quality improvement plans.

SR-253

##### MAY 10

8:30 a.m.

Office of Technology Assessment

Board Meeting, to consider pending business.

EF-100, Capitol

9:15 a.m.

Commerce, Science, and Transportation

To hold hearings on the nominations of Rear Admiral William J. Kime, to be Commandant, and Martin H. Daniell, Jr., to be Assistant Commandant, both of the United States Coast Guard.

SR-253

9:30 a.m.

Governmental Affairs

To hold hearings on S. 1951, to establish the Interagency Council on Science,

Mathematics, and Technology Education.

SD-342

Rules and Administration

To hold hearings on proposed legislation authorizing funds for fiscal year 1991 for the Federal Election Commission, and to review Senate policy on official mail.

SR-301

10:00 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on land warfare.

SD-192

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Veterans' Administration.

S-128, Capitol

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the U.S. Coast Guard.

SD-138

Foreign Relations

To hold hearings on the nominations of Frank D. Yturria, of Texas, and Norton Stevens, of New York, each to be a member of the Board of Directors of the Inter-American Foundation.

SD-419

10:30 a.m.

Commerce, Science, and Transportation

Consumer Subcommittee

To resume hearings on S. 1400, to regulate interstate commerce by providing for a uniform product liability law.

SR-253

11:00 a.m.

Judiciary business meeting, to consider pending calendar business.

SD-226

2:00 p.m.

Armed Services

Strategic Forces and Nuclear Deterrence Subcommittee

To hold closed hearings on S. 2171, to authorize funds for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the B-2 low observability and counter-Stealth analyses.

S-407, Capitol

Commerce, Science, and Transportation

Aviation Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1991 for the National Transportation Safety Board.

SR-253

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 1767, to reimburse Montana and individuals for expenses incurred to test cattle for brucellosis organisms carried outside Yellowstone National Park by elk and bison, S. 2343, to designate a segment of the Clarks Fork River in the State of Wyoming as a component of the National Wild and Scenic Rivers System, and H.R. 2809, to provide for the transfer of certain lands to the State of California.

SD-366

## Foreign Relations

To hold hearings on the nomination of Alan P. Larson, of Virginia, to be the U.S. Representative to the Organization for Economic Cooperation and Development, with the rank of Ambassador.

SD-419

## Select on Indian Affairs

To hold hearings on the nomination of Anthony J. Hope, of California, to be Chairman of the National Indian Gaming Commission, Department of the Interior.

SR-485

## Select on Intelligence

To hold closed hearings on intelligence matters.

SH-219

2:30 p.m.

Commerce, Science, and Transportation Science, Technology, and Space Subcommittee

To resume hearings to review the President's proposed budget request for fiscal year 1991 for the National Aeronautics and Space Administration [NASA], focusing on space science and applications.

SR-385

MAY 11

9:15 a.m.

Commerce, Science, and Transportation To hold hearings on challenges facing the U.S., focusing on policies to foster competitiveness.

SR-253

9:30 a.m.

Armed Services

Projection Forces and Regional Defense Subcommittee

To resume hearings to examine possible approaches to naval arms control.

SD-430

Governmental Affairs

Federal Services, Post Office, and Civil Service Subcommittee

To hold hearings on the Airborne Self-Protection Jammer (ASPJ) weapons system.

SD-342

Veterans' Affairs

To hold hearings on S. 2483, to improve educational assistance programs for veterans, S. 2484, to improve the housing loan program for veterans, and veterans employment programs, including section 401 and 404(c) of S. 2100, Veterans Compensation Cost-of-Living Adjustment Act.

SR-418

Select on Indian Affairs

To hold oversight hearings on initiatives for Indian programs for the 1990s.

SH-216

10:00 a.m.

Judiciary

Constitution Subcommittee

To hold hearings on S. 1810, to authorize the Attorney General to conduct a pilot program within the Department of Justice to determine compliance with the Fair Housing Act.

SD-226

MAY 14

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for activities of the Secretary of the Interior,

the Secretary of Energy, and the Secretary of Agriculture.

S-128, Capitol

2:00 p.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for fossil energy and clean coal technology programs of the Department of Energy.

S-128, Capitol

Select on Indian Affairs

To hold oversight hearings on S. 1021, to provide for the protection of Indian graves and burial grounds, and S. 1980, to provide for the repatriation of Native American group or cultural patrimony.

SR-485

MAY 15

9:00 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine fraud and abuse in employer-sponsored health benefit plans.

SD-342

9:30 a.m.

Armed Services

Manpower and Personnel Subcommittee

To resume hearings on S. 2171, to authorize funds for fiscal year 1991 for military functions of the Department of Defense, and to prescribe military personnel levels for fiscal year 1991, focusing on medical programs of the Department of Defense.

SR-232A

10:00 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on sea power.

SD-192

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.

SD-138

Armed Services

Projection Forces and Regional Defense Subcommittee

To hold hearings on S. 2171, to authorize funds for fiscal year 1991 for the Department of Defense and to prescribe personnel levels for fiscal year 1991, focusing on the state and capabilities of the U.S. Marine Corps for special operations and low intensity conflict.

SR-222

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings to review commercial space programs.

SR-253

Energy and Natural Resources

To hold hearings on S. 2415, to encourage solar and geothermal power production by removing the size limitations contained in the Public Utility Regulatory Policies Act of 1978.

SD-366

## Environment and Public Works

To hold hearings on proposed legislation to finance environmental protection facilities in small communities, including S. 1296, S. 1331, S. 2184, and S. 1514.

SD-406

2:30 p.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on population policy and resources.

SD-138

MAY 16

9:30 a.m.

Commerce, Science, and Transportation

Consumer Subcommittee

To hold hearings to examine environmental labeling of consumer products.

SR-253

10:00 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.

SD-138

2:00 p.m.

Armed Services

Strategic Forces and Nuclear Deterrence Subcommittee

To hold closed hearings on S. 2171, authorizing funds for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the space launch and command, control, communications and intelligence programs.

S-407, Capitol

Commerce, Science, and Transportation

Merchant Marine Subcommittee

To hold hearings on S. 2170, to prescribe the conditions under which contractors receiving operating-differential subsidy of their affiliates may engage in coastwise or intercoastal trade.

SR-253

MAY 17

9:00 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense, focusing on space programs.

S-407, Capitol

9:30 a.m.

Commerce, Science, and Transportation

Science, Technology, and Space Subcommittee

To hold hearings on semi-conductors and the future of the U.S. electronics industry.

SR-253

Veterans' Affairs

To hold hearings on titles I and III of S. 2100, Veterans Compensation Cost-of-Living Adjustment Act, S. 1887, to allow for Kentucky Vietnam veterans to receive a one-time bonus from the Commonwealth, S. 2454, to increase the estate limits for certain incompetent institutionalized veterans, S. 2482, to clarify the eligibility of certain minors for burial in national cemeteries and to authorize use of flat grave



markers in a section of Florida National Cemetery, S. 2102, to modify certain congressional reporting requirements imposed upon the Secretary of Veterans Affairs for certain administrative reorganizations within the Department of Veterans Affairs, and proposed legislation to expand radiation presumptions for veterans.

SR-418

10:00 a.m.

## Appropriations

## VA, HUD, and Independent Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1991 for the Departments of Veterans Affairs, Housing and Urban Development, and independent agencies.

SD-138

2:00 p.m.

## Armed Services

## Strategic Forces and Nuclear Deterrence Subcommittee

To hold hearings on S. 2171, to authorize funds for fiscal year 1991 for military functions of the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the Strategic Defense Initiative.

SD-628

## Energy and Natural Resources

## Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 1852 and H.R. 3545, to revise the Chesapeake and Ohio Canal Development Act to make certain changes relating to the Chesapeake and Ohio Canal National Historical Park Commission, S. 1990, to establish the Cliff Walk National Historic Site, S. 2011 and H.R. 2843, to authorize the expansion of the Tumacacori National Monument, S. 2067 and H.R. 3834, to designate the route from Selma to Montgomery for study for potential addition to the National Trails System, S. 2072, to authorize a study of nationally significant places in American history, S. 2262, to designate segments of the Sudbury, Assabet, and Concord Rivers as a study area for inclusion in the National Wild and Scenic Rivers System, S. 2437, to authorize the acquisition of certain lands in Louisiana for inclusion in the Vicksburg National Military Park, and S. 2566, to redesignate the Sunset Crater National Monument as the Sunset Crater Volcano National Monument.

SD-366

MAY 22

9:00 a.m.

## Appropriations

## Defense Subcommittee

To hold closed hearings on proposed budget estimates for the Department of Defense, focusing on classified programs.

S-407, Capitol

9:30 a.m.

## Armed Services

## Projection Forces and Regional Defense Subcommittee

To hold hearings on S. 2171, to authorize funds for fiscal year 1991 for the Department of Defense and to prescribe military personnel levels for fiscal year 1991, focusing on the Navy shipbuilding and conversion program.

SR-222

2:30 p.m.

## Appropriations

## Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on the global environment.

SD-138

MAY 23

9:30 a.m.

## Commerce, Science, and Transportation

To hold hearings to review the Administration's technology policy and priorities.

SR-253

1:30 p.m.

## Appropriations

## VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, and the Office of Inspector General.

SD-138

2:30 p.m.

## Armed Services

## Strategic Forces and Nuclear Deterrence Subcommittee

To hold hearings on the Department of Energy national security budget request for fiscal year 1991.

SR-253

MAY 24

9:00 a.m.

## Appropriations

## Defense Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1991 for defense programs.

SD-192

9:30 a.m.

## Commerce, Science, and Transportation

## Foreign Commerce and Tourism Subcommittee

To hold hearings to examine ways to expand U.S. exports abroad.

SR-253

JUNE 5

9:00 a.m.

## Appropriations

## Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for the Department of Defense.

SD-192

2:30 p.m.

## Appropriations

## Foreign Operations Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on organization and accountability.

SD-138

JUNE 7

9:30 a.m.

## Judiciary

To hold hearings to examine the effects on judicial nominees belonging to private clubs that discriminate.

SD-226

## Veterans' Affairs

To hold oversight hearings on veterans prosthetics and special-disabilities programs.

SR-418

2:00 p.m.

## Select on Indian Affairs

To hold oversight hearings to examine the Indian health service nurse shortage.

SR-485

JUNE 12

9:30 a.m.

## Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration's satellite programs.

SR-253

## Select on Ethics

To hold hearings on matters relating to the investigation involving Sen. Durenberger.

SH-216

2:30 p.m.

## Appropriations

## Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on eastern Europe.

SD-138

JUNE 13

9:30 a.m.

## Commerce, Science, and Transportation

## Communications Subcommittee

To hold hearings on S. 2358, providing U.S. consumers the opportunity to enjoy the technological advancement in sound recording by use of digital audio tape recorders.

SR-253

JUNE 14

9:30 a.m.

## Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on proposed legislation authorizing funds for the National Oceanic and Atmospheric Administration's ocean and coastal programs.

SR-253

## Veterans' Affairs

To hold hearings on title II and section 402 of S. 2100, relating to veterans physician pay and health issues, S. 1860, to require the Secretary of Veterans Affairs to furnish outpatient medical services for any disability of a former prisoner of war, S. 2455, to provide for recovery by the U.S. of the cost of medical care and services furnished for a nonservice-connected disability, S. 2456, to extend expiring laws authorizing the Department of Veterans Affairs to contract for needed care and to revise authority to furnish outpatient dental care, and other proposed legislation.

SR-418

JUNE 19

2:30 p.m.

## Appropriations

## Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1991 for foreign assistance, focusing on U.S. military assistance.

SD-138

JUNE 20

9:30 a.m.

Commerce, Science, and Transportation  
Communications Subcommittee

To hold hearings on S. 1974, to require new televisions to have built in decoder circuitry designed to display closed-captioned television transmissions.

SR-253

JUNE 26

9:00 a.m.

Appropriations  
Foreign Operations Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1991 for foreign assistance programs.

Room to be announced

2:30 p.m.

Appropriations  
Foreign Operations Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1991 for foreign assistance programs.

Room to be announced

JUNE 28

9:30 a.m.

Veterans' Affairs

Business meeting, to consider pending legislation relating to veterans compensation and health-care benefits.

SR-418

JULY 12

9:30 a.m.

Select on Indian Affairs

To hold hearings to examine protective services for Indian children, focusing on alcohol and substance abuse programs.

SR-485